

(D) REMARKS

FIG. 4 was determined to be redundant with the information illustrated by FIGURE 2A. This deletion should have been made prior to filing.

In the parent application, the Examiner cited U.S. Pat. No. 5, 561,319 (Owens):

under Sec. 102(e) against claims 1 (independent), 3 and 4 and 6 (all dependent),
7(independent), 8-13 (all dependent), and 16 (dependent),
and again under Sec. 103 against claims 2 and 15 (both dependent),
and again under Sec. 103 combined with applicants Prior Art figures against claims 18,
19, 21, and 22.

Applicant respectfully disagrees for the following reasons.

Owens is addressing the problem for a CMOS device having both n-channel and p-channel MOSFETs. See e.g., Abstract; col. 1, 41-56. Owens is designing a structure to protect the MOSFETs against radiation and/or hot electrons. Col. 1: ll. 18-20; ll. 30-40, 57-67 and col. 2, ll. 1-44; col. 4: ll. 18-36. A nitride passivation layer is specifically structured to solve these problems. Col. 4: ll. 37 - col. 5: ll. 42.

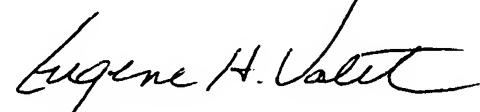
The present invention defines and claims reducing inherent capacitance in geometric gate IC constructs. Each independent claim has a limitation specifying such constructs and such capacitance-reducing structure and function. Moreover, the present invention relates to single device constructs, not CMOS constructs. Thus, both the approach and the problems solved by the present invention are different from the teaching of Owens both in structure and in functionality. The claim language sufficiently distinguishes the invention.

The Examiner also related the present invention to Williams as showing well-known features. For the record, it is noted that Williams is for single device constructs in the form of vertical DMOS structures. There is no oxide between the drain and source, but between drains since the drain is at the bottom of the construct. Thus, to the present invention, this reference is inapplicable.

Questions or suggestions that will advance the case to allowance may be directed to the undersigned by teleconference at the Examiner's convenience.

Date: APR. 20, 2004

Respectfully submitted,



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Preliminary Amendment

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